

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

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JUL 23 2001

Illinois Commerce Commission
RAIL SAFETY SECTION

VILLAGE OF FOX RIVER GROVE, ILLINOIS,

Petitioner,

v.

UNION PACIFIC RAILROAD (UP)
and the STATE OF ILLINOIS, DEPARTMENT OF
TRANSPORTATION (IDOT),

Respondents.

Petition to 1) interconnect traffic signals to be installed at the intersection of U.S. Route 14 (Northwest Highway) and Foxmoor Road with the railroad warning devices at the Foxmoor Road at-grade crossing of the UP double mainline tracks in the Village of Fox River Grove; 2) establish the amount of minimum preemption time provided by the UP to IDOT for the traffic signal preemption sequence at said intersection; 3) provide a 6' wide sidewalk platform across the tracks; 4) move the railroad control cabinet "bungalow" out of the driver sight lines of school buses crossing the tracks; and 5) install the southeast side traffic presignals on a railroad signal cantilever.

No. T01-0016

RESPONSE TO HEARING EXAMINER'S PROPOSED ORDER-INTERIM ORDER

On or about February 28, 2001, the Village of Fox River Grove, Illinois ("Village") filed its Petition in the above-referenced matter with the Illinois Commerce Commission ("Commission"). The Commission assigned this matter Docket No. T01-0016. The Hearing Examiner issued a Proposed Order on or about June 18, 2001, a copy of which was received by the Village on June 21, 2001. The Respondent, Union Pacific Railroad "UP" filed a Response to Hearing Examiner's Proposed Order-Interim Order on June 29, 2001. On July 5, 2001, the Hearing Examiner issued a ruling extending the time for filing briefs on exceptions in this case to July 20, 2001.

DOCKETED

NOW THEREFORE, in accordance with Section 200.830 of the Illinois Administrative Code, Petitioner, Village of Fox River Grove submits the following exceptions and /or additions to the proposed Order and Hearing Examiner ruling

1. The proposed Order lacks a **specific** time-line for UP to follow. A specific time-line should be included in the Order which establishes specific dates by which UP must perform its various tasks with regard to the design and construction of the interconnection of the traffic signals Route 14 and Foxmoor Road and the railroad warning signals at the Foxmoor Road crossing. Such a time line would set forth the specific dates by which tasks such as the completion of design, the providing of cost estimates, the erection of the cantilever and the like must be completed.
2. In addition, the Village wants to bring to the Commission's attention that the proposed Interim Order incorrectly identifies George Michael Ziegler as being employed by "Traffic Signal Design and Operation." Mr. Ziegler is employed by Christopher B. Burke Engineering, Ltd. Finally, the Village wants to point out that Mr. Ziegler's last name is misspelled in the order.

Respectfully submitted,
Village of Fox River Grove, Illinois

By 
Peter M. Rosenthal

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[illegible]

Docket No. T01-0016

CERTIFICATE OF SERVICE

TO: Donna Caton, Chief Clerk
Illinois Commerce Commission
527 East Capitol Av.
Springfield, IL 62701

Under penalties as provided by law pursuant to Section I-109 of the Code of Civil Procedure, the undersigned certifies as true that she served the foregoing **RESPONSE TO HEARING EXAMINER'S PROPOSED ORDER-INTERIM ORDER** upon:

Mack H. Shumate, Jr.
Union Pacific Railroad Company
101 N. Wacker Dr. Suite 1920
Chicago, IL 60606

James Slifer, Director
Division of Highways
Illinois Department of Transportation
2300 S. Dirksen Parkway Room 300
Springfield, IL 62764

David W. McKernan
Industry & Public Projects
Union Pacific Railroad Company
210 North 13th St. Room 1612
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C T Corporation System
Union Pacific Railroad Company
208 South LaSalle St.
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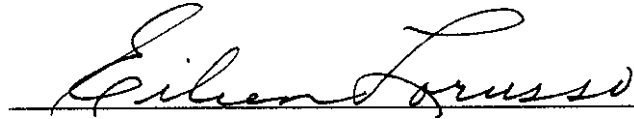
Joseph H. O'Brien, Director
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Ms. Tate
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Mr. Powers
Illinois Commerce Commission
527 East Capitol Av.
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Mr. Blair
Illinois Commerce Commission
527 East Capitol Av.
Springfield, IL 62701

by placing copies of same into envelopes correctly addressed as aforesaid and bearing sufficient postage prepaid and depositing same in the U.S. Mail at 30 N. LaSalle Street, Chicago, IL 60602 before 5:00 p.m. on July 20, 2001.

A handwritten signature in cursive script, reading "Eileen Russo", is written over a horizontal line.

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